

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/17/2015

BOARD MEMBERS PRESENT: Brad Janoush - Chair
Douglas D Vollmer
Paul J. Morgan

BOARD MEMBERS ABSENT: Darin D Krier

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals Hearing Technician
Maurie Ellsworth, General Counsel
Roger Hales, Attorney
Eric Nelson, Prosecuting Attorney
Cherie Simpson, Management Assistant
Deborah Sexton, Management Assistant

OTHERS PRESENT: Henri LeMoyne
Mike Brassey

The meeting was called to order at 8:30 AM MDT by Brad Janoush.

APPROVAL OF MINUTES

Mr. Morgan made a motion to approve the minutes of 6/17/2015 & 7/7/2015 as amended. It was seconded by Vollmer. Motion carried.

AGENDA AMENDMENT

Mr. Morgan made a motion to add the Association of Appraiser Regulatory Officials (AARO) conference to the agenda due to the fact it was inadvertently left off the agenda and the Board does not meet again until after the conference. It was seconded by Mr. Vollmer. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that all proposed law changes are due August 1 and proposed rule changes are due the third week in August for the 2015 session.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of \$116,281.47 as of 7/31/2015.

FY 2016 CONTRACT

Ms. Hall reviewed the FY 2016 contract with the Board. Mr. Vollmer made a motion to approve the contract and authorize the Chair to sign. It was seconded by Mr. Morgan. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case REA-2015-4. Mr. Vollmer made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Morgan. Motion carried.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Vollmer made a motion to approve the Bureau's recommendation and authorize closure in cases I-REA-2015-10, I-REA-2015-11, I-REA-2015-15, I-REA-2015-16 and I-REA-2016-1. It was seconded by Mr. Janoush. Motion carried. Mr. Morgan abstained from voting.

The Board reviewed the probation log.

The Board reviewed a request from William Bledsoe to be taken off probation. Mr. Morgan made a motion to allow Mr. Bledsoe to be taken off probation. It was seconded by Mr. Vollmer. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

Mr. Hales reviewed the Petition for Rule Making with the Board.

Mr. Morgan made a motion to eliminate Rule 010.14. Specialized Appraisal Services. It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to exclude 7, 8, 9. & 10 from Rule 004 and Rule 700. It was seconded by Mr. Vollmer. Motion carried.

The Board reviewed a draft of a proposed law change in regard to revising the definition of appraisal. Mr. Morgan made a motion to accept the new definition. It was seconded by Mr. Vollmer. Motion carried.

Mr. LeMoyne addressed the Board regarding a continuing education course submitted April 2014 that was approved for the first day. The provider did not include the second day of the course. The Board determined the application for the first day was submitted in a timely manner and had been approved. Mr. Morgan made a motion to approve the second day contingent upon additional information being submitted, reviewed and approved by the Board Chair. It was seconded by Mr. Vollmer. Motion carried.

The Board reviewed the drafts of the amended proposed laws and rules. Mr. Vollmer made a motion to accept and submit the proposed law and rule changes and add them to the website. The Board also requested notification be sent to all interested parties. It was seconded by Mr. Morgan. Motion carried. The Board directed staff to draft post-cards to licensees for review at the October Board meeting.

The Board continued its discussion regarding Appraisal Management Companies (AMCs). The Board reviewed and made suggestions on a draft of legislation for AMCs with Mr. Brassey and Mr. Hales. Mr. Brassey discussed getting the State of Idaho in compliance with the federal law and will continue to gather comments from all interested parties. Once a final draft has been outlined, it will be sent out for review. The Board discussed what the costs may be to the Board to regulate AMCs.

NEW BUSINESS

NEXT MEETING was scheduled for October 26, 2015 at 8:30 AM.

ASC

The Board reviewed the final report from the Appraisal Subcommittee (ASC) compliance review done earlier this year. Idaho's program has been awarded an ASC finding of "Good."

CONFERENCE

The Board discussed the upcoming AARO conference in October. Mr. Vollmer made a motion to pay expenses for Mr. Janoush and Ms. Sexton to attend the conference. It was seconded by Mr. Morgan. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Darcy Schmidt regarding the approved four hour Supervisory Appraiser/Trainee Appraiser course requesting confirmation that Idaho does not require any state-specific modules and that the one hour exam is not required. The Board said there were no additional requirements or exam for Idaho.

The Board reviewed correspondence from Ron George regarding whether a certain number of credits would suffice in lieu of a degree, whether acknowledging a trainee in writing in the appraisal works toward their credit and where they could find the supervisory appraiser/trainee appraiser course. The Board requested staff respond back that an actual degree is needed and direct Mr. George to Rule 350. The Board said if a trainee has contributed to the appraisal they have to be included in the certification. It would need to clearly state what the trainee did and how they contributed. Regarding the supervisor/supervisee course that needs to be taken, the Board suggested looking on the website. The Board said a few good resources would be the following: McKissock, The Appraisal Institute, and the American Society of Farm Managers and Rural Appraisers (ASFMRA).

The Board reviewed correspondence from Frank Clawson regarding a continuing education course. The Board said that unless the course is approved by the Appraisal Qualification Board or approved by Real Estate Appraiser Boards of states with reciprocity with Idaho then it would need to be approved in Idaho in order for it to count as CEs towards a licensee's Idaho renewal.

EXECUTIVE SESSION

Mr. Vollmer made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Morgan. The vote was: Mr. Janoush, aye; Mr. Vollmer, aye; and Mr. Morgan, aye. Motion carried.

Mr. Morgan made a motion to come out of executive session. It was seconded by Mr. Vollmer. The vote was: Mr. Janoush, aye; Mr. Vollmer, aye; and Mr. Morgan, aye. Motion carried.

APPLICATIONS

Mr. Morgan made a motion to table applicants # 901119387. It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to approve the following for registered trainee:

Roger McRoberts
Riley Allen

It was seconded by Mr. Vollmer. Motion carried.

Mr. Vollmer made a motion to approve the following for licensure:

KURASZ JAMES F	CGA-4003
SINGLETON CHRISTOPHER N	CGA-4013
TANDJUNG ROBBY	CGA-4010

It was seconded by Mr. Morgan. Motion carried.

Mr. Vollmer made a motion to approve Jean Pierre Lomonaco for a temporary permit. It was seconded by Mr. Morgan. Motion carried.

CONTINUING EDUCATION

Mr. Morgan made a motion to approve the following continuing education courses:

MCKISSOCK LP

AVOIDING MORTGAGE FRAUD FOR APPRAISERS
EXPERT WITNESS TESTIMONY: TO DO OR NOT TO DO
WORK FILE: YOUR BEST DEFENSE AGAINST AN OFFENSE -
FANNIE MAE APPRAISAL GUIDELINES

It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to approve the following continuing education courses:

ASFMRA

RAPID FIRE CASE STUDIES 2015
ASFMRA 86TH ANNUAL CONVENTION DAY 1
ASFMRA 86TH ANNUAL CONVENTION DAY 2
REQUIREMENTS OF UASFLA - THE "YELLOW BOOK"

It was seconded by Mr. Vollmer. Motion carried.

ADJOURNMENT

Mr. Morgan made a motion to adjourn the meeting at 12:47. It was seconded by Mr. Vollmer. Motion carried.

Brad Janoush, Chair

Darin D Krier

Douglas D Vollmer

Paul J. Morgan

Tana Cory, Bureau Chief